



# IANDIORIO & TESKA

INTELLECTUAL PROPERTY LAW ATTORNEYS

Joseph S. Iandiorio  
Kirk Teska  
Jason D. Shanske  
Thomas E. Thompkins, Jr.  
Roy J. Coleman  
David W. Poirier

260 BEAR HILL ROAD  
WALTHAM, MASSACHUSETTS 02451-1018

Tel: (781) 890-5678  
Fax: (781) 890-1150  
e-mail: admin@iandiorio.com  
web: www.iandiorio.com

August 11, 2004

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

SUBJECT:    Applicant:    George P. Emerson  
                 Serial No:    10/657,424  
                 Filed:        September 8, 2003  
                 For:            IMPROVED INSUFFLATION-EXSUFFLATION  
                                 SYSTEM WITH PERCUSSIVE ASSIST FOR  
                                 REMOVAL OF BRONCHO-PULMONARY  
                                 SECRETIONS  
                 Examiner:    Lewis, A.J.  
                 Group:        3743  
                 Docket No:    EMER-101J

Dear Sir:

Enclosed is a RESPONSE in reply to the Office Action mailed June 28, 2004 in the subject application. Pursuant to 37 CFR 1.56, also enclosed is an Information Disclosure Citation in an Application, Form PTO-A820 citing 34 references.

This information disclosure statement is being filed in accordance with 37 CFR 1.97(c), as it is being filed before the mailing date of either a Final Office Action or a Notice of Allowance. Accordingly, the applicant submits herewith a check in the amount of \$180.00, the fee set forth in 37 CFR 1.17(p) for filing an information disclosure statement under 37 CFR 1.97(c).

If for any reason this RESPONSE is found to be INCOMPLETE, or if at any time it appears that a TELEPHONE CONFERENCE with counsel would help advance prosecution, please telephone the undersigned or his associates, collect in Waltham, Massachusetts at (781) 890-5678.

If any payment during prosecution is found to be incorrect, please charge any deficiency or credit any overpayment to my Deposit Account No. 09-0002. A copy of this letter is enclosed for use by the Finance Branch in the event that it is necessary to make any charge or credit to my deposit account.

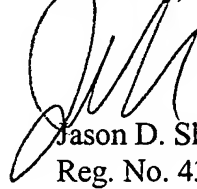
In addition, pursuant to Rule 1.136(a)(3), the Office is hereby authorized to treat any future reply requiring an extension of time as incorporating a request therefor. Also, any

Commissioner for Patents  
August 11, 2004  
Page 2

request or Petition for an Extension of Time notwithstanding an inadvertent reference in the Petition to a shorter period of time is to be treated as requesting the appropriate length of time.

Kindly acknowledge receipt of the foregoing by returning the enclosed self-addressed postcard.

Sincerely,



Jason D. Shanske  
Reg. No. 43,915

JDS/mgt  
Enclosures

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as first class mail in an envelope addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on August 11, 2004.



Marianne G. Tarczal

**INFORMATION DISCLOSURE CITATION***(Use several sheets if necessary)*

ATTY DOCKET NO.

**EMER-101J**

APPLICATION NO.

**10/657,424**

APPLICANT(S)

**George P. Emerson**

FILING DATE

**September 8, 2003**

GROUP ART UNIT

**3743****U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	1,044,031	Nov-1912	Name not available	128	205.19	
	1,169,995	Feb-1916	Name not available	128	205.19	
	1,358,893	Nov-1920	Eugen Stolle Georg Paul	128	204.25	
	2,364,626	Dec-1944	Emerson John H	128	204.25	
	2,428,451	Oct-1947	Emerson John H	128	205.13	

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

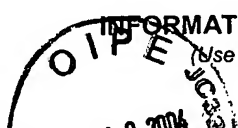
**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*


**EXAMINER****DATE CONSIDERED**

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)				ATTY DOCKET NO. <b>EMER-101J</b>		APPLICATION NO. <b>10/657,424</b>		
				George P. Emerson				
				FILING September 8, 2003		GROUP ART 3743		
<b>U.S. PATENT DOCUMENTS</b>								
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
		2,468,741	May-1949	Emerson John H	128	204.25		
		2481,299	Sep-1949	Emerson John H	128	204.25		
		2,774,347	Dec-1956	Emerson John H	601	43		
		2,774,348	Dec-1956	Emerson John H	601	43		
		2,853,998	Sep-1958	Emerson John H	601	44		
<b>U.S. PATENT APPLICATION PUBLICATIONS</b>								
*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
<b>FOREIGN PATENT DOCUMENTS</b>								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
<b>OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)</b>								
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>				

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<div style="text-align: center;">  <p><b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)</p> </div>	ATTY DOCKET NO. <b>EMER-101J</b>	APPLICATION NO. <b>10/657,424</b>
	George P. Emerson	
	FILING <b>September 8, 2003</b>	GROUP ART <b>3743</b>

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	2,861,568	Nov-1958	Cuthbert Quilter John Raymond; etal	128	201.23	
	2,914,064	Nov-1959	Werner Sandelowsky	128	205.19	
	3,357,428	Dec-1967	Carlson David L	128	204.23	
	3,368,212	Feb-1968	Klyce Jr Stephen D	340	606	
	3,794,026	Feb-1974	Jacobs, Harry Barry	128	200.13	

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
					YES	NO

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)


<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
-----------------	------------------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)				ATTY DOCKET NO. <b>EMER-101J</b>		APPLICATION NO. <b>10/657,424</b>	
				George P. Emerson			
				FILING <b>September 8, 2003</b>		GROUP ART <b>3743</b>	

PATENT & TRADEMARK OFFICE  
 AUG 13 2004

U.S. PATENT DOCUMENTS							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	
	3,402,711	Sep-1968	Emerson John H	128	204.28		
	3,768,468	Oct-1973	Cox, Lawrence Alfred	128	204.21		
	3,850,170	Nov-1974	Cox, Lyndon S.	128	204.24		
	3,976,064	Aug-1976	Wood et al.	128	204.21		
	4,193,406	Mar-1980	Jinotti, Walter J.	128	204.18		


U.S. PATENT APPLICATION PUBLICATIONS							
*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE	

FOREIGN PATENT DOCUMENTS								
		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)			

EXAMINER	DATE CONSIDERED
----------	-----------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

 <p><b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)</p>	ATTY DOCKET NO. <b>EMER-101J</b>	APPLICATION NO. <b>10/657,424</b>
	George P. Emerson	
	FILING September 8, 2003	GROUP ART 3743

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	4,206,754	Jun-1980	Cox et al.	128	204.21	
	4,273,120	Jun-1981	Oswell, Hugh H.B.	128	204.26	
	4,281,651	Aug-1981	Cox, Lawrence A.	128	204.23	
	4,393,869	Jul-1983	Boyarsky et al.	128	204.18	
	4,565,194	Jan-1986	Weerda et al.	128	204.23	

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE


**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)


<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
-----------------	------------------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

 <p><b>INFORMATION DISCLOSURE CITATION</b> (Use several sheets if necessary)</p>	ATTY DOCKET NO. <b>EMER-101J</b>	APPLICATION NO. <b>10/657,424</b>
	APPLICANT(S) <b>George P. Emerson</b>	
	FILING DATE <b>September 8, 2003</b>	GROUP ART UNIT <b>3743</b>

**U.S. PATENT DOCUMENTS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	5,127,398	Jul-1992	Stone, William C.	128	204.18	
	5,311,862	May-1994	Blasdell et al.	128	205.25	
	5,400,778	Mar-1995	Jonson et al.	128	205.19	
	5,419,768	May-1995	Kayser, John P.	604	119	
	5,673,689	Oct-1997	Power, John S.	128	205.18	

**U.S. PATENT APPLICATION PUBLICATIONS**

*EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO

**OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)


<b>EXAMINER</b>	<b>DATE CONSIDERED</b>
-----------------	------------------------

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



